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RESPONSE UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE - EXAMINING GROUP 1761

Attorney Docket No. 5470-255

PATENT

04-01-04

Image

AF/1760  
AF/1600  
AS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Xiong et al.

Examiner: D. Ramirez

Serial No.: 09/541,462

Group Art Unit: 1652

Filed: March 31, 2000

For: ISOLATED DNA ENCODING CULLIN REGULATORS ROC1 AND ROC2,  
ISOLATED PROTEINS ENCODED BY THE SAME, AND METHODS  
UTILIZING THE SAME

Date: March 31, 2004

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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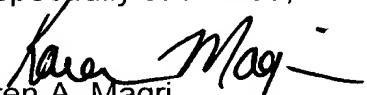
**NOTICE OF APPEAL TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Pursuant to 35 USC §134, 37 CFR 1.191, and MPEP §1205, the Applicant in the above-identified patent application hereby appeals to the Board of Patent Appeals and Interferences from the Final Office Action dated October 17, 2003 and the Advisory Action dated February 17, 2004 at least twice rejecting or finally rejecting claims 15 and 16.

- Enclosed is a check in the amount of \$640.00 (\$165.00 for the Appeal fee and \$475.00 for the Petition for a 3-month Extension of Time fee).
- Payment by credit card is requested. Form PTO-2038 is attached.
- A petition for an extension of time under 37 CFR 1.136(a) is enclosed.
- Also enclosed:
- The Commissioner is authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-0220. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

  
Karen A. Magri  
Registration No. 41,965

In re: Xiong et al.  
Serial No.: 09/541,462  
Filed: March 31, 2000  
Page 2 of 2

**Customer No. 20792**

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**CERTIFICATE OF EXPRESS MAILING**

"Express Mail" mailing label number: EV381446536US Date of Deposit: March 31, 2004  
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express  
Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is  
addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sarah Brunmeier  
Sarah Brunmeier